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**From:** Mugdan.Walter@epamail.epa.gov [Mugdan.Walter@epamail.epa.gov]  
**Sent:** 12/17/2010 6:41:44 PM  
**To:** Sussman.Bob@epamail.epa.gov; Feldt.Lisa@epamail.epa.gov; Woolford.James@epamail.epa.gov; Southerland.Elizabeth@epamail.epa.gov; Stanislaus.Mathy@epamail.epa.gov; Giles.Cynthia@epamail.epa.gov; McCabe.Catherine@epamail.epa.gov; Gilberg.Elliott@epamail.epa.gov; Lynch.Mary-Kay@epamail.epa.gov  
**CC:** Enck.Judith@epamail.epa.gov; Pavlou.George@epa.gov; schaaf.eric@epa.gov; simon.paul@epa.gov; fischer.douglas@epa.gov; king.david@epa.gov; Klawinski.Gary@epamail.epa.gov; Conetta.Benny@epamail.epa.gov; Garbarini.Doug@epamail.epa.gov; egarvey@louisberger.com; Bellow.Bonnie@epamail.epa.gov; mears.mary@epa.gov; Kluesner.Dave@epamail.epa.gov  
**BCC:** Mugdan.Walter@epamail.epa.gov  
**Subject:** Fw: New York Times 12/17/10: E.P.A. Sets Tighter Rules for Hudson River Cleanup

I thought you might like to see how the "paper of record" is covering the Hudson story. We are pleased with all the coverage so far -- generally quite accurate and positive stories.

A number of you have been kind enough to send us congratulatory notes thanking our team. We appreciate these messages, but we want you to know that we also deeply appreciate the support and assistance we received from all of our Headquarters colleagues. This was truly a team effort, with the team encompassing many individuals in many different offices.

This is the most extraordinary effort that I have been privileged to be part of in over 35 years with EPA, and I take this opportunity to voice my thanks to everyone who worked so hard to make it happen.

The early signals from GE are encouraging, and we are cautiously optimistic that the company will "opt in."

And then on to the hard part . . . actually getting it all done!

- Walter

----- Forwarded by Walter Mugdan/R2/USEPA/US on 12/17/2010 01:28 PM -----

**From:** "Fowler, Joanne" <FowlerJ@ene.com>  
**To:** "Fazzolari, John" <JFazzolari@ene.com>, David King/R2/USEPA/US@EPA, Dave Kluesner/R2/USEPA/US@EPA, Gary Klawinski/R2/USEPA/US@EPA, Larisa Romanowski/R2/USEPA/US@EPA  
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**Date:** 12/17/2010 12:28 PM  
**Subject:** New York Times 12/17/10: E.P.A. Sets Tighter Rules for Hudson River Cleanup

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## E.P.A. Sets Tighter Rules for Hudson River Cleanup

By MIREYA NAVARRO  
Published: December 17, 2010

The Environmental Protection Agency announced tighter requirements on Friday for the second phase of General Electric's cleanup of chemical pollution in the Hudson River, imposing a stringent limit for the first time on how much contamination can be capped and sealed on the riverbed rather than removed.

G.E. will be allowed to cap only 11 percent of the total project area, which stretches nearly 200 miles from Hudson Falls, N.Y., to the southern tip of Manhattan, the agency said. That excludes areas where

capping is unavoidable because of physical barriers in the river, it added.

In the first phase of the project, involving work on six miles of the river from May to November 2009, the company capped nearly 37 percent of the pollutants.

The agency said it would also require tighter procedures for the dredging of sediments to remove PCB's, or polychlorinated biphenyls, that were discharged into the river by two G.E. factories upstate over a 30-year period ending in 1977.

The new standards foresee the completion of the cleanup in five to seven years.

G.E., which is conducting the work under the oversight of the E.P.A.'s Superfund program, has until Jan. 14 to review the agency's decision and to announce whether it will resume the cleanup in May. It also has the option of rejecting the standards and pulling out of the job, risking a court fight and enormous penalties.

E.P.A. officials said they reached their decision after months of consultations with G.E., New York State officials, environmental groups and others and after an analysis of technical information about the project.

Judith Enck, the federal agency's regional administrator in New York, said that the new standards rely "on the best science to ensure this dangerous pollution is addressed in an effective way."

"E.P.A. has advanced a PCB cleanup plan that will require the removal of huge quantities of PCBs, making the Hudson River cleaner for future generations," she said.

A spokesman for G.E., Mark Behan, said the company would review the new standards and "if we determine that the plan is consistent with our technical discussions with E.P.A., and it's based on sound science and it's feasible to achieve, G.E. expects to move forward with Phase Two."

Mr. Behan said the company had already spent \$561 million on the design and execution of the project's first phase, and had set aside "sufficient funding" to finish the cleanup, although he declined to give a specific figure.

Lawrence Levine, a senior attorney at the Natural Resources Defense Council, an environmental group, described the standards for the second phase of the cleanup as a compromise.

"Under these cleanup standards, there's no doubt we'll have a much cleaner and healthier Hudson River than we do today," he said. But he argued that allowing G.E. to cover over toxic waste presented "the ongoing risk of it being stirred up once again in the years to come."

"The spotlight is now on G.E. to move forward without delay, and to do nothing less than these standards require once the cleanup begins," he said.

But Ms. Enck said that even with capping, the cleanup is expected to remove most PCB's. "We believe that at least 95 percent of the PCB's in the dredge area will be removed," she said in a telephone call with reporters. "We're very proud of that number."

<http://www.nytimes.com/2010/12/18/nyregion/18hudson.html>

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